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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,051	06/27/2003	David Konetski	016295.1384	6910
7590 Roger Fulghum Baker Botts L.L.P. One Shell Plaza 910 Louisiana Street Houston, TX 77002-4995			EXAMINER ISMAIL, SHAWKI SAIF	
			ART UNIT 2155	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			01/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/609,051

Applicant(s)

KONETSKI ET AL.

Examiner

Shawki S. Ismail

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 11/26/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED OFFICE ACTION

1. This communication is responsive to the application filed on June 27, 2003.

Claims 1-25 are presented for examination.

References in applicant's IDS form 1449 have been considered.

Claim Rejections - 35 USC §102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4, 6-9, 11-21, and 23-25, are rejected under 35 U.S.C. 102(e) as being anticipated by **Chaddha et al.**, (referred hereinafter as Chaddha) U.S. Patent No. **6,173,317**.

4. As to claim 8, Chaddha teaches a method for providing media content to a user associated with a thin media client, comprising the steps of:

receiving from the user a request for media content, the media content requested by the user comprising at least two instances of media content (col. 2, lines 38-47);

retrieving the at least two instances of media content (col. 2, lines 26-36);

pre-processing the at least two instances of media content to create a combined data stream of digital media (col. 6, lines 13-21);

transmitting the combined data stream to the thin media client (col. 2, lines 62-67); and

rendering the combined data stream at the thin media client to provide the media content of the data stream to the user (col. 2, lines 26-37).

5. As to claim 9, Chaddha teaches the method for providing media content to a user associated with a thin media client of claim 8, wherein the at least two instances of media content comprise at least two instances of digital video (col. 2, lines 38-47).

6. As to claim 11, Chaddha teaches the method for providing media content to a user associated with a thin media client of claim 8, wherein the at least two instances of media content comprise a digital video data stream having an audio component and an audio-only data stream (col. 6, lines 13-21).

7. As to claim 12, Chaddha teaches the method for providing media content to a user associated with a thin media client of claim 11, wherein the step of pre-processing comprises the steps of:

attenuating the audio component from the digital video data stream (col. 6, lines 13-21); and combining the resulting digital video data stream with the audio-only data stream (col. 6, lines 13-21).

8. As to claim 13, Chaddha teaches the method for providing media content to a user associated with a thin media client of claim 8, wherein the step of retrieving the at

least two instances of media content comprises the step of retrieving at least one instance of media content from the Internet (col. 5, lines 10-28).

9. As to claim 14, Chaddha teaches the method for providing media content to a user associated with a thin media client of claim 8, wherein the step of retrieving the at least two instances of media content comprises the step of retrieving at least one instance of media content from a media storage device (col. 5, lines 40-53).

10. As to claim 15, Chaddha teaches the method for providing media content to a user associated with a thin media client of claim 8, wherein the step of retrieving the at least two instances of media content comprises the step of retrieving at least one instance of media content from a home appliance (col. 5, lines 40-53).

11. As to claim 16, Chaddha teaches the method for providing media content to a user associated with a thin media client of claim 8, wherein the step of retrieving the at least two instances of media content comprises the step of retrieving at least one instance of media content from a video camera (col. 5, lines 40-53).

12. As to claim 17, Chaddha teaches the method for providing media content to a user associated with a thin media client of claim 10, wherein the source of at least one instance of the two instances of digital video is a video camera (col. 5, lines 40-53).

13. Claims 1-4, 6-7, 18-21 and 23-25 contain similar limitation as claims 8-9, and 11-17; therefore, they are rejected under the same rationale.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 5, 10, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Chaddha et al.**, (referred hereinafter as Chaddha) U.S. Patent No. **6,173,317** and in view of **Smyth et al.**, (Hereinafter referred to as Smyth) U.S. Patent No. **7,007,098**.

Chaddha teaches the claimed invention as described invention, however Chaddha does not explicitly teach wherein the step of pre-processing comprises the step of combining the at least two instances of digital video into a combined data stream in picture-in-picture format.

Smyth teaches a method of controlling video signals in a multi-participant video conference which involves assessing the level of video signal required from each participant to mix the desired broadcast video signals, and using the result of this assessment to dynamically control the video output from the endpoints of the conference participants to handle multiple video streams, the MP may also choose a mixing strategy, where the mixing takes the form of combining the video streams from all participants into a "picture-in-picture" image, containing reduced images of all conference participants, and then transmitting this combined image to each endpoint, so

that all participants may be viewed from each desktop (see abstract and col. 2, lines 8-17).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Smyth into the invention of Chaddha in order to reduce the amount of images that are displayed at a client device.

16. EXAMINER NOTE: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail
Patent Examiner
December 22, 2006



Philip Tran
PRIMARY EXAMINER